

116TH CONGRESS
1ST SESSION

H. R. 3555

To amend the Department of Education Organization Act and the Higher Education Act of 1965 to require publication of information relating to religious exemptions to the requirements of title IX of the Education Amendments of 1972, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2019

Ms. CLARK of Massachusetts (for herself, Mr. PAPPAS, Ms. DAVIDS of Kansas, Miss RICE of New York, Mr. LOWENTHAL, Ms. NORTON, and Mr. BLUMENAUER) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Department of Education Organization Act and the Higher Education Act of 1965 to require publication of information relating to religious exemptions to the requirements of title IX of the Education Amendments of 1972, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Exposing Discrimina-
5 tion in Higher Education Act”.

1 **SEC. 2. PUBLICATION ON WEBSITE OF THE DEPARTMENT**
2 **OF EDUCATION.**

3 Section 203 of the Department of Education Organi-
4 zation Act (20 U.S.C. 3413) is amended by adding at the
5 end the following:

6 “(d) The Assistant Secretary for Civil Rights shall
7 publish, on the Department’s website, in a prominent loca-
8 tion, information regarding religious exemptions to the re-
9 quirements of title IX of the Education Amendments of
10 1972 (20 U.S.C. 1681 et seq.) in accord with this para-
11 graph. Such information shall include a list naming each
12 institution of higher education that requests such an ex-
13 emption, the name of each such institution that has re-
14 ceived an exemption, and the nature and scope of that ex-
15 emption (including each program or activity covered by
16 the exemption and the personal characteristics or behav-
17 iors to which the exemption applies).”.

18 **SEC. 3. PUBLICATION ON WEBSITE OF EACH INSTITUTION**
19 **OF HIGHER EDUCATION.**

20 Section 485 of the Higher Education Act of 1965 (20
21 U.S.C. 1092) is amended by adding at the end the fol-
22 lowing:

23 “(n) **DISCLOSURE OF RELIGIOUS EXEMPTIONS TO**
24 **TITLE IX OF THE EDUCATION AMENDMENTS OF 1972.—**
25 Each institution of higher education participating in any
26 program under this title that requests, receives, or exer-

1 cises or intends to exercise a religious exemption to the
2 requirements of title IX of the Education Amendments of
3 1972 (20 U.S.C. 1681 et seq.) shall submit in writing to
4 the Assistant Secretary a statement by the highest rank-
5 ing official of the institution, identifying the provisions of
6 part 106 of title 34 of the Code of Federal Regulations
7 that conflict with a specific tenet of the religious organiza-
8 tion and shall publish on its website, in a prominent loca-
9 tion, the following:

10 “(1) REQUEST LETTER.—Each letter submitted
11 by the educational institution to the Department to
12 request such an exemption.

13 “(2) EXEMPTION LETTER.—Each letter from
14 the Department to the educational institution that
15 grants or denies such an exemption.

16 “(3) NOTICE OF REQUEST.—Notice that the
17 educational institution has requested an exemption
18 under section 901(a)(3) of the Education Amend-
19 ments of 1972 (20 U.S.C. 1681(a)(3)).

20 “(4) NOTICE OF EXEMPTION.—If applicable,
21 notice that the educational institution has received
22 an exemption under section 901(a)(3) of the Edu-
23 cation Amendments of 1972 (20 U.S.C. 1681(a)(3)).

24 “(5) COVERED PERSONAL CHARACTERISTICS OR
25 BEHAVIORS.—A list of the personal characteristics

1 or behaviors to which each requested or granted ex-
2 emption applies.

3 “(6) COVERED ACTIVITIES OR PROGRAMS.—A
4 list of the activities or programs to which each ex-
5 emption applies.

6 “(7) STATEMENT OF RIGHTS.—The statement
7 ‘Students continue to have rights under title IX of
8 the Education Amendments of 1972. Any student
9 who experiences discrimination may contact the Of-
10 fice for Civil Rights at the United States Depart-
11 ment of Education at _____ or _____.’,
12 with the first blank space being filled with a link to
13 the website of the Office for Civil Rights and the
14 second blank space being filled with the telephone
15 number of the Office for Civil Rights.”.

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